

PATENT

Case Docket No. AMERMOT.022C1

Date: October 19, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Horst Leitner
Appl. No. : 10/689,254
Filed : October 20, 2003
For : RETRACTABLE VEHICLE
STEP
Group Art Unit : 3618
Class/Sub-Class : 280-166000
Examiner : Klebe, Gerald B

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 19, 2004

(Date)

Mark J. Kertz

Mark J. Kertz, Reg. No. 43,711

TRANSMITTAL LETTER

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing is the Issue Fee and the following related items for the above-identified application:

- (X) Form PTOL-85.
- (X) Comments on Statement of Reasons for Allowance in 2 pages.
- (X) A check in the amount of \$1,700 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

Mark J. Kertz

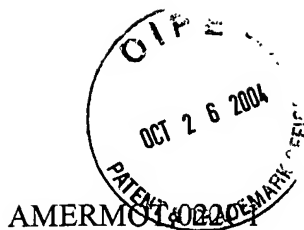
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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

United States Patent and Trademark Office
P.O. Box 1450
Arlington, VA 22202

Dear Sir:

In response to the Examiner's statement of reasons for allowance, which statement was made in the Notice of Allowability mailed on July 23, 2004, Applicant makes the following comments:

Applicant respectfully objects to the Examiner's statement to the extent that he has paraphrased independent Claim 50 when characterizing the allowable subject matter. Although Claim 50 may cover the subject matter recited by the Examiner in his reasons for allowance, Applicant emphasizes that the scope of Claim 50 is determined by its terms and not the Examiner's characterization thereof. As allowed, Claim 50 recites:

50. A retractable vehicle step, comprising:
a step member having a stepping deck and a support bracket portion
extending inboard from said stepping deck;
a first support arm; and
a second support arm;
said first support arm and said second support arm connectable with
respect to an underside of a vehicle so as to be pivotable about a first pivot axis
and a second pivot axis, respectively;

Appl. No. : 10/689,254
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said first support arm and said second support arm connected to said step member so that said first support arm and said second support arm are pivotable with respect to said step member about a third pivot axis and a fourth pivot axis, respectively, said fourth pivot axis located inboard from said third pivot axis;

said first support arm and said second support arm allowing said step member to move between a retracted position and a deployed position downward and outboard from said retracted position;

at least one of said first support arm and said second support arm extending downward and outboard from said first and second pivot axes, respectively, when said step member is in said deployed position;

wherein said stepping deck is substantially wider than said support bracket portion;

wherein said support bracket portion provides a recessed area into which said first support arm is inserted at said third pivot axis.

If the Examiner has any questions, the Examiner is respectfully requested to telephone the undersigned Attorney.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Oct. 19, 2004

By: Mark J. Kertz

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